

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

DONNETTE SMITH, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

GREEN TREE SERVICING LLC, a Delaware
limited liability company,

Defendant.

Case No.: 15-cv-3961

Honorable Paul A. Magnuson

NOTICE OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff Donnette Smith (“Plaintiff” or “Smith”), by and through her undersigned counsel, hereby respectfully provides the Court with notice of her dismissal of her claims without prejudice. In support of this Notice, Plaintiff states as follows:

1. On August 14, 2015, Plaintiff Donnette Smith filed the instant action against Defendant Green Tree Servicing LLC in the United States District Court for the Northern District of Illinois, (dkt. 1).
2. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff may voluntarily dismiss this action without a Court order prior to the opposing party serving either an answer or a motion for summary judgment.
3. Defendant has not filed an answer or a motion for summary judgment in this action.
4. Accordingly, the action may be dismissed *without prejudice* and without an order of the Court.

NOW THEREFORE, PLAINTIFF HEREBY GIVES NOTICE THAT that:

A. Plaintiff Donnette Smith's individual claims against Defendant in this action are dismissed *without prejudice*;

B. The claims of the putative class in this action are dismissed *without prejudice*;

Respectfully submitted,

DONNETTE SMITH, individually and on behalf
of all others similarly situated,

Dated: December 16, 2015

By: s/Karen H. Riebel

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Counsel for Plaintiffs and the Putative Class

CERTIFICATE OF SERVICE

On December 16, 2015, I filed the above and foregoing with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to all registered parties.

s/Karen H. Riebel